

technological data among research facilities and other organizations within the Department of Defense is necessary—

“(1) to ensure that personnel of the Department are currently informed about emerging technology for defense systems; and

“(2) to avoid unnecessary and costly duplication of research staffs and projects.”

§ 2365. Global Research Watch Program

(a) PROGRAM.—The Assistant Secretary¹ shall carry out a Global Research Watch program in accordance with this section.

(b) PROGRAM GOALS.—The goals of the program are as follows:

(1) To monitor and analyze the basic and applied research activities and capabilities of foreign nations in areas of military interest, including allies and competitors.

(2) To provide standards for comparison and comparative analysis of research capabilities of foreign nations in relation to the research capabilities of the United States.

(3) To assist Congress and Department of Defense officials in making investment decisions for research in technical areas where the United States may not be the global leader.

(4) To identify areas where significant opportunities for cooperative research may exist.

(5) To coordinate and promote the international cooperative research and analysis activities of each of the armed forces and Defense Agencies.

(6) To establish and maintain an electronic database on international research capabilities, comparative assessments of capabilities, cooperative research opportunities, and ongoing cooperative programs.

(c) FOCUS OF PROGRAM.—The program shall be focused on research and technologies at a technical maturity level equivalent to Department of Defense basic and applied research programs.

(d) COORDINATION.—(1) The Assistant Secretary shall coordinate the program with the international cooperation and analysis activities of the military departments and Defense Agencies.

(2) The Secretaries of the military departments and the directors of the Defense Agencies shall provide the Assistant Secretary of Defense for Research and Engineering such assistance as the Assistant Secretary may require for purposes of the program.

(3)(A) Funds available to a military department for a fiscal year for monitoring or analyzing the research activities and capabilities of foreign nations may not be obligated or expended until the Director² certifies to the Under Secretary of Defense for Acquisition, Technology, and Logistics that the Secretary of such military department has provided the assistance required under paragraph (2).

(B) The limitation in subparagraph (A) shall not be construed to alter or effect the availability to a military department of funds for intelligence activities.

(e) CLASSIFICATION OF DATABASE INFORMATION.—Information in electronic databases of

the Global Research Watch program shall be maintained in unclassified form and, as determined necessary by the Assistant Secretary, in classified form in such databases.

(f) TERMINATION.—The requirement to carry out the program under this section shall terminate on September 30, 2015.

(Added Pub. L. 108-136, div. A, title II, § 231(a), Nov. 24, 2003, 117 Stat. 1421; amended Pub. L. 109-364, div. A, title II, § 232, Oct. 17, 2006, 120 Stat. 2134; Pub. L. 111-84, div. A, title II, § 211, Oct. 28, 2009, 123 Stat. 2225; Pub. L. 111-383, div. A, title IX, § 901(j)(3), Jan. 7, 2011, 124 Stat. 4324.)

PRIOR PROVISIONS

A prior section 2365, added Pub. L. 99-500, § 101(c) [title X, § 909(a)(1), formerly § 909(a)], Oct. 18, 1986, 100 Stat. 1783-82, 1783-142, and Pub. L. 99-591, § 101(c) [title X, § 909(a)(1), formerly § 909(a)], Oct. 30, 1986, 100 Stat. 3341-82, 3341-142, redesignated § 909(a)(1), Pub. L. 100-26, § 4(b), Apr. 21, 1987, 101 Stat. 274; Pub. L. 99-661, div. A, title IX, formerly title IV, § 909(a)(1), Nov. 14, 1986, 100 Stat. 3921, renumbered title IX, Pub. L. 100-26, § 3(5), Apr. 21, 1987, 101 Stat. 273; Pub. L. 100-26, § 5(3)(A), Apr. 21, 1987, 101 Stat. 274; Pub. L. 100-456, div. A, title VIII, § 802, Sept. 29, 1988, 102 Stat. 2008, required use of competitive prototype program strategy in development of major weapons systems, prior to repeal by Pub. L. 102-484, div. A, title VIII, § 821(c)(1), Oct. 23, 1992, 106 Stat. 2460.

AMENDMENTS

2011—Subsec. (a). Pub. L. 111-383, § 901(j)(3)(A), substituted “Assistant Secretary” for “Director of Defense Research and Engineering”.

Subsec. (d)(1). Pub. L. 111-383, § 901(j)(3)(B), substituted “Assistant Secretary” for “Director”.

Subsec. (d)(2). Pub. L. 111-383, § 901(j)(3)(C), substituted “Assistant Secretary of Defense for Research and Engineering” for “Director of Defense Research and Engineering” and “Assistant Secretary may” for “Director may”.

Subsec. (e). Pub. L. 111-383, § 901(j)(3)(D), substituted “Assistant Secretary” for “Director”.

2009—Subsec. (d)(3). Pub. L. 111-84, § 211(a), added par. (3).

Subsec. (f). Pub. L. 111-84, § 211(b), substituted “2015” for “2011”.

2006—Subsec. (f). Pub. L. 109-364 substituted “2011” for “2006”.

EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111-383 effective Jan. 1, 2011, see section 901(p) of Pub. L. 111-383, set out as a note under section 131 of this title.

§ 2366. Major systems and munitions programs: survivability testing and lethality testing required before full-scale production

(a) REQUIREMENTS.—(1) The Secretary of Defense shall provide that—

(A) a covered system may not proceed beyond low-rate initial production until realistic survivability testing of the system is completed in accordance with this section and the report required by subsection (d) with respect to that testing is submitted in accordance with that subsection; and

(B) a major munition program or a missile program may not proceed beyond low-rate initial production until realistic lethality testing of the program is completed in accordance with this section and the report required by subsection (d) with respect to that testing is submitted in accordance with that subsection.

¹ So in original. Probably should be “Assistant Secretary of Defense for Research and Engineering”.

² So in original. Probably should be “Assistant Secretary”.